

06/15/01

J1032 U.S. PTO

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Please type a plus sign (+) inside this box → ☒Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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PTO/SB/19 (4/98)

<b>PLANT PATENT APPLICATION TRANSMITTAL</b> (Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))		Attorney Docket No. _____
		First Inventor or Application Identifier <b>Guennadi Eremin</b>
		Title <b>Prunus Plant 'VSL-2'</b>
		Express Mail Label No. _____

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

## APPLICATION ELEMENTS

See MPEP chapters 600 &amp; 1600 concerning plant patent application contents.

1. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages **9**]  
(2 copies required - 37 C.F.R. § 1.163(b)  
(preferred arrangement set forth below)
  - Descriptive title of the invention (with Plant's name)
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings
  - Detailed Botanical Description
  - Claim (only one (1) permitted MPEP 1605)
  - Abstract of the Disclosure
3. ☐ Color drawing(s) [Total Sheets \_\_\_\_\_]  
(2 copies required - 37 C.F.R. § 1.165(b))
4. Oath or Declaration [Total Pages \_\_\_\_\_]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Box 15 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

\* NOTE FOR ITEMS 1 & 12: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

## ACCOMPANYING APPLICATION PARTS

5. ☒ Plant Color Coding Sheet
6. ☐ Assignment Papers (cover sheet & document(s))
7. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney (when there is an assignee)
8. ☐ English Translation Document (if applicable)
9. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations \_\_\_\_\_]
10. ☐ Preliminary Amendment
11. ☐ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
12. ☒ \* Small Entity Statement(s) filed in prior application (PTO/SB/09-12) Status still proper and desired
13. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
14. ☐ Other: \_\_\_\_\_

15. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 16. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	<b>Ms. Shannon K. Reeser</b>				
	<b>Varieties International</b>				
Address	<b>P.O. Box 753</b>				
City	<b>Lafayette</b>	State	<b>Oregon</b>	Zip Code	<b>97127</b>
COUNTRY	<b>USA</b>	Telephone	<b>(503) 538-2131</b>	Fax	

Name (Print/Type)			Registration No. (Attorney/Agent)	
Signature			Date	

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09880953-061501

PTO/SB/17 (11-00)

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**FEE TRANSMITTAL**  
**for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT**

(\$ 245.00)

**Complete if Known**

Application Number

Filing Date

First Named Inventor

Guennadi Eremin

Examiner Name

Group Art Unit

Attorney Docket No.

**METHOD OF PAYMENT**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
NumberDeposit  
Account  
Name☐ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒ Check☐ Credit card☐ Money  
Order☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

245.00

**SUBTOTAL (1)** (\$ 245.00)**2. EXTRA CLAIM FEES**Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  = 

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 \*\* Reissue independent claims  
over original patent110 18 210 9 \*\* Reissue claims in excess of 20  
and over original patent**SUBTOTAL (2)**

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**Large Small  
Entity EntityFee Fee Fee Fee  
Code (\$) Code (\$) Code (\$) Code (\$)

Fee Description

Fee Paid

105 130 205 65

Surcharge - late filing fee or oath

127 50 227 25

Surcharge - late provisional filing fee or  
cover sheet

139 130 139 130

Non-English specification

147 2,520 147 2,520

For filing a request for *ex parte* reexamination

112 920\* 112 920\*

Requesting publication of SIR prior to  
Examiner action

113 1,840\* 113 1,840\*

Requesting publication of SIR after  
Examiner action

115 110 215 55

Extension for reply within first month

116 390 216 195

Extension for reply within second month

117 890 217 445

Extension for reply within third month

118 1,390 218 695

Extension for reply within fourth month

128 1,890 228 945

Extension for reply within fifth month

119 310 219 155

Notice of Appeal

120 310 220 155

Filing a brief in support of an appeal

121 270 221 135

Request for oral hearing

138 1,510 138 1,510

Petition to institute a public use proceeding

140 110 240 55

Petition to revive - unavoidable

141 1,240 241 620

Petition to revive - unintentional

142 1,240 242 620

Utility issue fee (or reissue)

143 440 243 220

Design issue fee

144 600 244 300

Plant issue fee

122 130 122 130

Petitions to the Commissioner

123 50 123 50

Processing fee under 37 CFR 1.17(q)

126 180 126 180

Submission of Information Disclosure Stmt

581 40 581 40

Recording each patent assignment per  
property (times number of properties)

146 710 246 355

Filing a submission after final rejection  
(37 CFR § 1.129(a))

149 710 249 355

For each additional invention to be  
examined (37 CFR § 1.129(b))

179 710 279 355

Request for Continued Examination (RCE)

169 900 169 900

Request for expedited examination  
of a design application

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 0)**SUBMITTED BY**

Name (Print/Type)

Registration No.  
(Attorney/Agent)

Complete (if applicable)

Telephone

Signature

Date

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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his box → ☐

PTO/SB/20 (8-96)  
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<b>PLANT COLOR CODING SHEET</b> <i>(to be used for new applications only)</i> 'VSL-2'				Attorney Docket Number	
				First Named Inventor	
				Guennadi Eremin	
				FOR OFFICIAL USE ONLY	
Sheet		1	of	1	Date of Receipt
					Application Number

PLEASE LIST THE ITEM TO WHICH COLOR IS A DISTINGUISHING FEATURE, THE COLOR CODE WHICH BEST REPRESENTS THAT PLANT STRUCTURE AND THE COLOR CODE SYSTEM.

ITEM	COLOR
Trunk:	
Trunk Bark Color	178B
Lenticel Color	198B
Brancheſ:	
Branch Color	175B
Lenticel Color	198B
Leaves:	
Leaf Color (adzxial surface)	135D
Leaf Color (abaxial surface)	136B
Petiole Color	140C
Vein Color (adaxial and abaxial surfaces)	135D
Fruit:	
Stem Color	144A
Skin Color	53A
Flesh Color	53A
Seed Color	164A
Flower:	
Bud Color	56C
Flower Color Fully Opened (upper & lower surfaces)	56D
Color of Peduncle	144A
Calyx Color	152A
Reproductive Organs:	
Stamen Color	145C
Anther Color	9B
Color of Pollen	9B
Pistil Color	144C
Style Color	144C
Ovary Color	144B

COLOR CODE SYSTEM:

RHS Colour Chart of the Royal Horticultural Society

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Tel. 503.538.2131  
800.421.4001  
Fax 503.538.7616  
P.O. Box 549, Dundee, Oregon 97115  
E-mail: TREECONN@aol.com

April 9, 2001

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DE 20231

Re: *Patent Application Packet for Prunus Plant 'VSL-2'*

Dear Assistant Commissioner:

Enclosed you will find a patent application packet for the above reference plant with the following forms:

- ✓ Plant Patent Application Transmittal
- ✓ Fee Transmittal
- ✓ Plant Patent Application Declaration
- ✓ Declaration - Plant Patent Application
- ✓ Statement Claiming Small Entity Status
- ✓ Plant Color Coding Sheet
- ✓ Two (2) copies of the specifications

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I have also enclosed a check in the amount of \$245.00 to cover the basic filing fee. If you have any questions I can be reached at (503) 435-2000 or by e-mail at [shannon@meadow-lake.com](mailto:shannon@meadow-lake.com).

Sincerely,

*Shannon K. Reeser*

Shannon K. Reeser  
Executive Assistant

Enclosures

05800953 061501  
106190 5560850